

Appln. No. 10/678,153
Amdt./Response filed December 8, 2005
replying to Office Action of August 8, 2005

PATENT
Customer No. 22,852
Attorney Docket No. 2418.0773-01

REMARKS / ARGUMENTS

In response to the Office Action dated August 8, 2005, Applicant respectfully requests the Office to enter the following amendments and consider the following remarks. By this response, Applicant amends claim 1, 6 and 7, cancels claims 2-5 without prejudice or disclaimer, and adds new claims 31-46. After entry of this paper, claims 1, 6-7, 14-16, and 28-46 will be pending in this application.

In the Office Action, the Examiner rejected claims 1-7 under 35 U.S.C. §103(a) as allegedly unpatentable over Vandergriff (US 5,775,715) in view of Cui *et al.* (US 5,951,908); and (ii) allowed claims 14-16 and 28-30.

35 U.S.C. § 103(a) Rejections

Claims 1-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Vandergriff in view of Cui *et al.*

While respectfully disagreeing, in the Interest of expediting prosecution and avoiding additional costs, Applicant hereby cancels or amends these claims as follows.

Applicant cancels claims 2-5 without prejudice or disclaimer, and submits that the rejection is therefore moot with respect to these claims.

Applicant amends claims 1 and 6 to depend from allowable claim 14. Thus, claims 1 and 6 are allowable for at least the same reasons as is claim 14. Additionally, Applicant has rewritten claim 7 as an independent claim that tracks the method steps present in allowed claims 14 and 28, though with respect to the piezoelectric materials recited in this claim. Thus, claim 7 is allowable for reasons similar to those supporting allowance of claims 14 and 28. Applicant therefore requests that the rejection of claims 1, 6 and 7, under 35 U.S.C. §103(a) be withdrawn and the claims allowed.

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New Claims

Applicant submits that new claims 31-46 raise no new issues, present no new matter and do not require any additional search, and are allowable over the references cited by the Examiner. Specifically, new claims 31-46 are merely dependent claims that recite subject matter from either previously presented claims (e.g., canceled and/or withdrawn claims) or features of the specification already considered, and thus raise no new issues for the Examiner. Additionally, new claims 31-46 are allowable because they include/incorporate the same or comparable limitations to those present in allowed claims 14 and 28. Thus, in new claims 31-46, the recited subject matter has already been before the Office and no new matter or issues are presented. As they are also patentable over the art of record, Applicant respectfully requests their allowance.

In view of the foregoing amendments, arguments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.


Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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Dated: December 8, 2005

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